



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

August 28, 2008
(212) 416-8560

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

BY HAND
Hon. William H. Pauley III
United States District Court
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: McKenzie v. Gibson, 07 Civ. 6714 (WHP)

Dear Judge Pauley:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-2-08

This office represents the defendants in the above matter. On August 25, 2008, the Court issued a memorandum and order denying defendants' motion to dismiss in part and granting it in part. I write to request an extension of time to answer until September 22, 2008. I will be away over the next week and am otherwise engaged most of the week of September 8. I contacted plaintiff's counsel's office earlier today and left a detailed message, but have not yet heard back from him. Because I will be out of the office beginning tomorrow, I am sending this request at this time.

Respectfully submitted,

Barbara K. Hathaway

Barbara K. Hathaway
Assistant Attorney General

cc: John Ray, Esq. (By fax and mail)

Application granted. Defendant's time to answer is extended until September 22, 2008.

SO ORDERED:

William H. Pauley III
WILLIAM H. PAULEY III U.S.D.J.

9/2/08